

**Patent**

**Attorney Docket No.: Intel 2207/14007**  
**Assignee: Intel Corporation**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANTS : Steve SCHNETZLER  
SERIAL NO. : 10/083,557  
FILED : February 27, 2002  
TITLE : SERVER PERSISTENCE USING A URL IDENTIFIER  
GROUP ART UNIT : 2144  
EXAMINER : Greg C. BENGZON

M/S: APPEAL BRIEF - PATENTS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**ATTENTION: Board of Patent Appeals and Interferences**

**REPLY BRIEF UNDER 37 C.F.R. § 1.193**

Dear Sir:

This is in reply to issues raised by the Examiner in his Answer of April 29, 2008.

### **REMARKS**

Applicants respectfully submit the assertions in the Examiner's Answer are incorrect for at least the following reasons.

As argued in the Appeal Brief, Applicants maintain there is no mention in the cited references of at least the sending of a URL address as part of a retrieval process to be sent to the requesting party in the cited section, and no description of "... adding an identity of the first server to the data and forwarding the data to the client computer", as described in claimed embodiments of the present application.

To support its assertion, and in response to the arguments in the previously submitted Appeal Brief, the Examiner further cites to the Barrera reference, column 8, lines 1-10, which state:

6. Upon receiving the resource file, the host sends the resource file to the Web client using HTTP.

In this preferred embodiment of the present invention a URL address has the following content, assuming contiguous storage of resource file blocks:

http://... <IP Address or Hostname of Controller> /<LUN#>/<Start>Block#>, <Number of Blocks>

Applicants submit that this section of Barrera fails to teach or suggest the relevant limitations of the claims of the present application in that the retrieval of any requested file is performed by a data storage device controller, separate from any server. In particular, Applicants maintain the embedded physical I/O address of a resource file does not include an identity of a server responsible for forwarding the requested data to the client computer (*e.g.*, as described in the embodiment of claim 1), because Barrera does not require the use of servers at all in its retrieval

process (for similar reasons to those described in the Appeal Brief). *See* Appeal Brief, pages 5-7.

Next, the Examiner cites to column 5, line 40-50, which state:

The process steps in these modules are executable by the microprocessor on each server so as to distribute requests among the Web servers. In more detail, the process steps include, among other things, code to receive a request from a remote source at a first one of the Web servers (e.g., server 7), code to determine whether to process the request in the first server, code to process the request in the first server in a case that the determining code determines that the request should be processed in the first server, and code to route the request to another server (e.g., server 9) in a case that the determining code determines that the request should not be processed in the first server.

The cited section describes receiving an instruction at a first server to determine whether to process a request at the first server and if so, code to process the request, and route the request to another server. It does not describe at least adding an identity of the first server to the data and forwarding the data to the client computer anywhere.

The Examiner further cites to column 7, lines 55-65, which state:

In the second embodiment of the invention, load balancing is performed based on a content of a network request, in this case a URL/URI. As noted above, a URL addresses a particular Web site and takes the form of "www.foo.com". A URI, on the other hand, specifies information of interest at the Web site addressed by the URL. For example, in a request such as "www.foo.com/banking", "/banking" is the URI and indicates that the request is directed to information at the "foo" Web site that relates to "banking".

The cited section is directed to load balancing; in particular, in the context of directing web requests. The described load balancing embodiment is directed to looking at a portion of an URL to determine what content the request is related to (e.g., banking). The cited section does not teach or suggest the above-mentioned limitations either.

The Examiner further cites to column 3, lines 10-15 and column 9, lines 15-20, allegedly describing the motivation to combine the O'Neill and Barrera. Column 3, lines 10-15 are

directed to describing the need for a for a load balancing technique which is able to provide more accurate load balancing and column 9, 15-20 describes use of the URIs in the load balancing technique discussed above to not route subsequent transactions away from a server, thereby ensuring that all such requests are processed by that server. Applicants maintain the O'Neill and Barrera references fail to teach or suggest at least the relevant limitations discussed above.

Finally, the cited sections of Bodwell – column 4, lines 45-50 and column 3, lines 30-35 – fail to teach or suggest the relevant limitations of the claimed embodiments of the present application for at least the reasons described in the Appeal Brief. *See* Appeal Brief dated 2/1/2008, pages 11-12.

Appellants therefore respectfully request that the Board of Patent Appeals and Interferences reverse the Examiner's decision rejecting claims 1 - 21 and direct the Examiner to pass the case to issue.

The Examiner is hereby authorized to charge any additional fees which may be necessary for consideration of this paper to Kenyon & Kenyon LLP Deposit Account No. **11-0600.**

Application No. 10/083,557  
Appeal Brief dated February 1, 2008  
Advisory Action dated November 27, 2007  
APPEAL BRIEF – PATENTS

Respectfully submitted,  
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